

Ministry of Long-Term Care
Long-Term Care Operations Division
Long-Term Care Inspections Branch

London District
130 Dufferin Avenue, 4th Floor
London, ON, N6A 5R2
Telephone:(800) 663-3775

Immediate Compliance Order

Original Public Report

Report Issue Date: June 7, 2023	
Inspection Number: 2023-1504-0003	
Inspection Type: Complaint	
Licensee: Ritz Lutheran Villa	
Long Term Care Home and City: West Perth Village, Mitchell	
Lead Inspector Christina Legouffe (730)	Inspector Digital Signature
Additional Inspector(s) Tatiana Pyper (733564)	

INSPECTION REPORT SUMMARY

The inspection occurred on the following date(s): May 24, 25, 26, 29, 30, 31 and June 1, 2023.

The following intake was inspected:

- Intake: #00085084- Complaint related to concerns with air conditioning not functioning in resident rooms.

**COMPLIANCE ORDER [ICO #901] AIR CONDITIONING
REQUIREMENTS**

NC #001 Compliance Order pursuant to FLTCA, 2021, s. 154 (1) 2.

Non-compliance with: O. Reg. 246/22, s. 23.1 (3) (1)

The Inspector is ordering the licensee to:

FLTCA, 2021, s.155 (1) (a) do anything, or refrain from doing anything, to achieve compliance with a requirement under this Act

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Compliance Order: [FLTCA 2021, s. 155 (1)]

The Licensee has failed to comply with O. Reg. 246/22, s. 23.1 (3) (1)

The licensee shall ensure that:

Temperature is maintained for the purpose of cooling and is at a comfortable level for residents between May 15 to September 15.

Grounds

The licensee has failed to ensure that all resident rooms had air conditioning that was operating and was used in accordance with the manufacturer's instructions from the time period between May 15 and September 15.

Rationale and Summary

During an inspection, a resident of the home complained to an Inspector that the air conditioning in the home was not in working order. The thermostat in the resident's room, read 27 degrees Celsius.

An Inspector spoke with Director of Care (DOC) and the DOC was unaware that the air conditioning was not in good working order in some resident rooms on the second floor of the home.

A Registered Practical Nurse (RPN) told an Inspector that there had been complaints by residents and visitors of high temperatures in the home for the past few days. There were no records of temperatures taken in any resident rooms, until after it was brought to the home's attention by Inspectors.

After Inspectors told the management of the home that the air conditioning was not at a comfortable level in the residents' rooms, the Building Services Director (BSD) contacted a Heating, Ventilation, and Air Conditioning (HVAC) technician and they came to the home to repair the affected air conditioning, however, the air conditioning was still not functioning at full capacity and that the HVAC technicians were to return to the home to perform additional repairs.

There was a risk of heat related illness to residents when the air conditioning in the home was not in good working order.

Sources: Observations of residents' rooms, interviews with a resident, A Registered Practical Nurse, the



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**Inspection Report Under the
Fixing Long-Term Care Act, 2021**

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Building Services Director, and the Director of Care.

[733564]

This order must be complied with by: June 8, 2023

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REVIEW/APPEAL INFORMATION

TAKE NOTICE

The licensee has the right to request a review by the Director of this (these) Order(s) and/or this Notice of Administrative Monetary Penalty (AMP) in accordance with section 169 of the *Fixing Long-Term Care Act, 2021* (Act). The licensee can request that the Director stay this (these) Order(s) pending the review. If a licensee requests a review of an AMP, the requirement to pay is stayed until the disposition of the review.

Note: Under the Act, a re-inspection fee is not subject to a review by the Director or an appeal to the Health Services Appeal and Review Board (HSARB).

The request for review by the Director must be made in writing and be served on the Director within 28 days from the day the order or AMP was served on the licensee.

The written request for review must include:

- (a) the portions of the order or AMP in respect of which the review is requested;
- (b) any submissions that the licensee wishes the Director to consider; and
- (c) an address for service for the licensee.

The written request for review must be served personally, by registered mail, email, or commercial courier upon:

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th floor
Toronto, ON, M7A 1N3
e-mail: MLTC.AppealsCoordinator@ontario.ca

If service is made by:

- (a) registered mail, is deemed to be made on the fifth day after the day of mailing
- (b) email, is deemed to be made on the following day, if the document was served after 4 p.m.

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- (c) commercial courier, is deemed to be made on the second business day after the commercial courier received the document

If the licensee is not served with a copy of the Director's decision within 28 days of receipt of the licensee's request for review, this (these) Order(s) is (are) and/or this AMP is deemed to be confirmed by the Director and, for the purposes of an appeal to HSARB, the Director is deemed to have served the licensee with a copy of that decision on the expiry of the 28-day period.

Pursuant to s. 170 of the Act, the licensee has the right to appeal any of the following to HSARB:

- (a) An order made by the Director under sections 155 to 159 of the Act;
- (b) An AMP issued by the Director under section 158 of the Act; or
- (c) The Director's review decision, issued under section 169 of the Act, with respect to an inspector's compliance order (s. 155) or AMP (s. 158).

HSARB is an independent tribunal not connected with the Ministry. They are established by legislation to review matters concerning health care services. If the licensee decides to request an appeal, the licensee must give a written notice of appeal within 28 days from the day the licensee was served with a copy of the order, AMP, or Director's decision that is being appealed from. The appeal notice must be given to both HSARB and the Director:

**Health Services Appeal and Review
Board**

Attention Registrar
151 Bloor Street West, 9th Floor
Toronto, ON M5S 1S4

Director

c/o Appeals Coordinator
Long-Term Care Inspections Branch
Ministry of Long-Term Care
438 University Avenue, 8th Floor
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Upon receipt, the HSARB will acknowledge your notice of appeal and will provide instructions regarding the appeal and hearing process. A licensee may learn more about the HSARB on the website www.hsarb.on.ca.